



**FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

September 21, 2007

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
AND FACSIMILE 212-431-2622**

Reuben Weinstein, President  
Surveillance-Video.com  
387 Canal Street  
New York, New York 10013

Re: File No. EB-07-SE-042

Dear Mr. Weinstein:

This is an official **CITATION**, issued to Surveillance-Video.com ("Surveillance-Video") pursuant to Section 503(b)(5) of the Communications Act of 1934, as amended ("Communications Act"), 47 U.S.C. § 503(b)(5), for marketing in the United States certain wireless cameras and wireless camera converters, specifically, 10 Watt, 1.2 GHz Cantek Wireless Camera and Camera Converter Transmitter Receivers ("1.2 GHz wireless camera transmitter receivers"), that are not eligible to receive a grant of equipment certification, in violation of Section 302(b) of the Communication Act, 47 U.S.C. § 302a(b), and Sections 2.803 and 15.205(a) of the Commission's rules, 47 C.F.R. §§ 2.803 and 15.205(a). As explained below, future violations of the Commission's rules in this regard may subject your company to monetary forfeitures.

On February 6, 2007, staff in the Enforcement Bureau's Spectrum Enforcement Division ("Division") visited the internet store for Surveillance-Video products, [www.surveillance-video.com](http://www.surveillance-video.com) ("Surveillance-Video online store"). The Surveillance-Video online store listed the 1.2 GHz wireless camera and camera converter for sale with pre-order links to purchase the devices. Further, the item descriptions for the wireless camera and camera converter indicated that they transmit on frequency 1.2 GHz. The 0.960 - 1.215 GHz band is a restricted frequency band under Section 15.205(a) of the rules that is allocated for aeronautical navigation use.

On March 13, 2007,<sup>1</sup> the Division issued a letter of inquiry ("LOI") to Surveillance-Video requesting information as to whether Surveillance-Video was marketing the 1.2 GHz wireless camera transmitter receivers in the United States.

In its response to the Division's LOI, Surveillance-Video admitted marketing the 1.2 GHz wireless camera transmitter receivers at its on-line store and through its mail-order catalog but indicated that it does not know the name or location of either the manufacture or the importer of the devices.<sup>2</sup>

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<sup>1</sup> See Letter from Kathryn Berthot, Chief, Spectrum Enforcement Division, Enforcement Bureau, Federal Communications Commission, to Surveillance-Video.com (March 13, 2007).

<sup>2</sup> See Letter from Reuben Weinstein, President, Surveillance-Video.com to Jacqueline Johnson, Spectrum Enforcement Division, Enforcement Bureau (April 16, 2007).

Surveillance-Video stated that it began marketing the 1.2 GHz wireless camera to end users in the summer of 2005 and has sold 500 units. Further, Surveillance-Video explained that it did not know that the devices required FCC authorization. Finally, Surveillance-Video noted that it discontinued marketing and selling the 1.2 GHz wireless camera transmitter receivers through its on-line store and its mail-order catalog on March 13, 2007, upon receipt of the Division's inquiry.

Subsequently, on July 11, 2007, the Division staff observed Surveillance-Video's on-line store and found that the links previously directing customers to the 1.2 GHz wireless camera transmitter receivers had been removed.

Section 302(b) of the Communication's Act provides that "[n]o person shall manufacture, import, sell, offer for sale, or ship devices or home electronic equipment and systems, or use devices, which fail to comply with regulations promulgated to this section." Section 2.803(a)(1) of the Commission's rules implementing regulations provides that:

no person shall sell or lease, or offer for sale or lease (including advertising for sale or lease), or import, ship, or distribute for the purpose of selling or leasing or offering for sale or lease, any radio frequency device unless . . . [i]n the case of a device subject to certification, such device has been authorized by the Commission in accordance with the rules in this chapter and is properly identified and labeled as required by § 2.925 and other relevant sections in this chapter.

Additionally, Section 2.803(g) of the Commission's rules provides that:

Devices that could not be operated or legally authorized under the current rules . . . shall not be operated, advertised, displayed, offered for sale or lease, sold or leased, or otherwise marketed absent a license issued under part 5 of the Chapter or a special temporary authorization issued by the Commission.

Pursuant to Section 15.201(b) of the Commission's rules, 47 C.F.R. § 15.201(b), intentional radiators, such as wireless cameras, must be authorized in accordance with the FCC's certification procedures prior to the initiation of marketing in the United States. However, the 1.2 GHz wireless camera operates within the restricted frequency bands listed in Section 15.205(a) of the Commission's rules.<sup>3</sup> Thus, the wireless camera cannot comply with the FCC's technical standards and therefore cannot be certificated or marketed. Accordingly, it appears that Surveillance-Video has violated Section 302(b) of the Communications Act and Sections 2.803 and 15.205(a) of the Commission's rules by marketing in the United States radio frequency devices that are not eligible to receive a grant of certification.

**If, after receipt of this citation, Surveillance-Video violates the Communications Act or the Commission's rules in any manner described herein, the Commission may impose monetary forfeitures not to exceed \$11,000 for each such violation or each day of a continuing violation.**<sup>4</sup>

If you choose to do so, you may respond to this citation within 30 days from the date of this letter either through (1) a personal interview at the Commission's Field Office nearest to your place of business, or (2) a written statement. Your response should specify the actions that Surveillance-Video is taking to

<sup>3</sup> Section 15.205(a) allows intentional radiators to transmit only spurious emissions in the restricted frequency bands. 47 C.F.R. § 2.1 defines spurious emissions as "[e]missions on a frequency or frequencies which are outside the necessary bandwidth and the level of which may be reduced without affecting the corresponding transmission of information. Spurious emissions include harmonic emissions, parasitic emissions, intermodulation products and frequency conversion products, but exclude out-of-band emissions." The 1.2 GHz wireless camera purposely transmits RF energy on restricted frequencies.

<sup>4</sup> See 47 C.F.R. § 1.80(b)(3).

ensure that it does not violate the Commission's rules governing the marketing of radio frequency devices in the future.

**The nearest Commission field office is the New York Office in New York, NY. Please call Jacqueline Johnson at 202-418-2871 if you wish to schedule a personal interview. You should schedule any interview to take place within 30 days of the date of this letter. You should send any written statement within 30 days of the date of this letter to:**

Kathryn S. Berthot  
Chief, Spectrum Enforcement Division  
Enforcement Bureau  
Federal Communications Commission  
445-12<sup>th</sup> Street, S.W., Rm. 3-C366  
Washington, D.C. 20554

Under the Privacy Act of 1974, 5 U.S.C. § 552(a)(e)(3), we are informing you that the Commission's staff will use all relevant material information before it, including information that you disclose in your interview or written statement, to determine what, if any, enforcement action is required to ensure your compliance with the Communications Act and the Commission's rules.

The knowing and willful making of any false statement, or the concealment of any material fact, in reply to this citation is punishable by fine or imprisonment under 18 U.S.C. § 1001.

Thank you in advance for your anticipated cooperation.

Sincerely,

Kathryn S. Berthot  
Chief, Spectrum Enforcement Division  
Enforcement Bureau  
Federal Communications Commission